

IN THE SUPREME COURT OF THE STATE OF DELAWARE

INTEL CORPORATION,	§
	§ No. 485, 2009
Defendant Below-	§
Appellant,	§
	§ Court Below—Superior Court
v.	§ of the State of Delaware
	§ in and for New Castle County
AMERICAN GUARANTEE AND	§ C.A. No. 09C-01-170
LIABILITY INSURANCE	§
COMPANY,	§
	§
Plaintiff Below-	§
Appellee.	§

Submitted: August 21, 2009

Decided: August 27, 2009

Before **STEELE**, Chief Justice, **HOLLAND** and **BERGER**, Justices

ORDER

This 27th day of August 2009, it appears to the Court that:

(1) The defendant-appellant, Intel Corporation, has petitioned this Court, pursuant to Supreme Court Rule 42, to appeal from the Superior Court's interlocutory order on July 24, 2009, which denied Intel's motion to stay or dismiss.

(2) On August 20, 2009, the Superior Court refused to certify an interlocutory appeal to this Court pursuant to Rule 42, concluding that the criteria set forth in that Rule were not met.

(3) Applications for interlocutory review are addressed to the sound discretion of this Court and are granted only in exceptional circumstances.¹ We have examined the Superior Court's July 24, 2009 order according to the criteria set forth in Rule 42. In the exercise of its discretion, this Court has concluded that such exceptional circumstances as would merit interlocutory review of the Superior Court's order do not exist in this case.

NOW, THEREFORE, IT IS ORDERED that the within interlocutory appeal is REFUSED.

BY THE COURT:

/s/ Randy J. Holland
Justice

¹ Supr. Ct. R. 42(b).